REMARKS

This application has been reviewed in light of the Office Action dated August 9, 2006. Claims 1-24 are pending, with Claims 1, 7, 13, and 19 in independent form. No amendments to the claims have been made by this response. Favorable reconsideration is requested.

The Office Action includes several provisional double patenting rejections in view of pending U.S. Patent Application Nos. 10/812,686; 10/812,463; 10/812,605; and 10/812,517. Because these rejections are provisional, Applicant respectfully defers addressing these rejections until Claims of one of these applications become allowed.

The Office Action does not explicitly set forth a rejection of Claims 1-24 in view of prior art. However, it appears that that the Office Action has presented new grounds of rejection of these claims under 35 U.S.C. § 102(b) based upon the Flickner et al. Patent (U.S. Patent No. 4,791,676). Assuming that this is the case, Applicant respectfully traverses these rejections and submits that all claims are patentable over the Flickner et al. Patent for at least the following reasons.

For one reason, Claim 1 requires a method of altering the appearance of an input digital image when printed. In contrast, the Flickner et al. Patent is understood to pertain to identifying objects in an image. See column 1, lines 15-18; column 3, lines 25-32; and column 3, lines 55-58. Accordingly, the techniques of the Flickner et al. Patent are not understood to pertain to altering an appearance of an input digital image when printed, as required by Claim 1, and instead, are understood to pertain to identifying objects in an image.

For a second reason, Claim 1 requires defining each pixel as either a background pixel, interior pixel, or an edge pixel. The Office Action on page 10 is understood to take the position that the pixels labeled as H_0, H_2, and I_2, of FIG. 1 of the Flickner et al. Patent allegedly correspond to the background pixels, the interior pixels, and the edge pixels of Claim 1, respectively. However, the Flickner et al. Patent states that the pixels labeled as I_2 are pixels identified as being included in the ring object 12. See column 4, lines 4-8. The Flickner et al. Patent is not understood to teach or suggest any differentiation between interior pixels and edge pixels of the object 12 amongst the pixels labeled I_2. In particular, the entire object 12 includes pixels all having labels of I_2. The Flickner

et al. Patent has not been found to teach or suggest that edge pixels of the object 12 are identified separately from or differently than other pixels in the object 12. Accordingly, Applicant respectfully submits that the Flickner et al. Patent does not teach or suggest identifying an edge pixel as required by Claim 1.

For a third reason, Claim 1 requires identifying enclosed edge pixels located on the edge of enclosed areas of print characters having enclosed areas. Assuming, for arguments sake, that the ring object 12 could even be considered a print character, which Applicant does not concede, Applicant respectfully submits that the Flickner et al. Patent does not teach or suggest any specific identification of enclosed edge pixels, as opposed to other pixels, in the object 12. In particular, the Flickner et al. Patent merely states that pixels in the object 12 are labeled I_2. The Flickner et al. Patent is not understood to teach or suggest that pixels on the edge of the inside of the ring object 12 are identified separately from or differently than other pixels in the ring object 12. Accordingly, Applicant respectfully submits that the Flickner et al. Patent does not teach or suggest identify enclosed edge pixels located on the edge of enclosed areas of a print character having enclosed areas, as required by Claim 1.

For a fourth reason, Applicant respectfully submits that the ring object 12 of the Flickner et al. patent is not taught or suggested to be a print character, according to Claim 1. In particular, as Applicant indicated in the Appeal Brief dated May 12, 2006, the phrase "print character," is submitted to be defined as a symbol from a set of symbols, that meet positional requirements such that each character is formed at a consistent location relative to one or more boundary conditions. For example, an upper case "P" must be formed so that the top of the "P" is formed at the top of the line on which it is printed, and the bottom of the "P" is formed at the bottom of the line on which it is printed. According to Applicant's understanding of the Flickner et al. Patent, the ring object 12 is merely an object in the shape of a ring, and, unlike a character, is not disclosed as meeting any positional requirements like those described above. In fact, the objects 10, 12, and 14, unlike print characters, appear to be randomly located in the image frames 16, 18, 20, and 22 of FIG. 1. Applicant has not found any teaching or suggestion in the Flickner et al. Patent that the objects 10, 12, and 14 are print characters, according to Claim 1. Accordingly, Applicant respectfully submits that the ring object 12 of the Flickner et al. Patent is not a print character
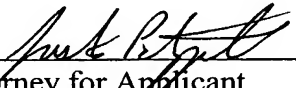
as required by Claim 1. To the extent that the Examiner believes otherwise, Applicant respectfully requests that a specific portion of the Flickner et al. Patent be cited that teaches or suggests that the object 12 is a print character. If the Examiner is relying upon information beyond that disclosed by or necessarily present in the Flickner et al. Patent, Applicant respectfully submits that the Examiner is moving beyond the realm of a 35 U.S.C. § 102 rejection.

For a fifth reason, Claim 1 requires reassigning the digital value of one or more enclosed edge pixels independently of other pixels. This requirement of Claim 1 is consistent with Claim 1's method of altering the appearance of an input digital image when printed. In contrast to Claim 1, however, the Flickner et al. Patent is understood to pertain to identifying objects in an image and labeling all of the pixels in the same object consistently. See column 4, lines 52-54. Accordingly, the Flickner et al. Patent is not understood to teach or suggest reassigning digital values of one or more enclosed edge pixels independently of other pixels. Further in this regard, the Flickner et al. Patent is not understood to teach or suggest that enclosed edge pixels of the ring object 12 in FIG. 1 have their digital values reassigned independently of other pixels. Accordingly, Applicant respectfully submits that the Flickner et al. Patent does not teach or suggest reassigning the digital value of one or more enclosed edge pixels independently of other pixels, as required by Claim 1.

For at least the above-discussed reasons, Applicant respectfully submits that Claim 1 is patentable over the Flickner et al. Patent. Independent Claims 7, 13, and 19 include at least some of the features of Claim 1 described above and are believed to be patentable for at least some of the same reasons. The other claims in this application depend from one of the independent claims discussed above, and therefore are submitted to be patentable for at least the same reasons. Since each dependent claim is deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing remarks, Applicant respectfully requests favorable reconsideration of the rejections of the claims and the issuance of a notice of allowance.

Respectfully submitted,

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.